



DEPARTMENT OF PUBLIC WORKS
Solid Waste Division

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April 6, 2006

Mr. Bill Brattain
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-6114

Subject: **COMMENTS ON DRAFT GENERAL WDRs
GREEN WASTE COMPOSTING OPERATIONS**

Dear Mr. Brattain:

Merced County Department of Public Works (MCDPW) currently operates two green waste composting facilities located at the Highway 59 and Billy Wright Landfills. Composting operations have existed at one facility for over 10 years and 5 years at the other. Each facility has individual WDRs (Order Numbers 5-00-52 and R5-2006-0022) and General Storm Water Permits (WDID Nos. 5F24S01555 and 5B24S000444). These regulatory documents and permits refer to landfill operations and there are no mentions of monitoring or reporting requirements specific to the composting operations.

MCDPW has several general and specific comments on the Draft General Waste Discharge Requirements for green waste operations within the Central Valley Region.

1. It is unclear if or how the draft regulations will apply to green waste facilities operating at landfills with existing WDRs.
 - a. Will amendments to existing individual WDRs be required or will the proposed regulations be additive requiring filing of NOI?
 - b. Are duplicative reporting requirements for landfill and composting operations being proposed?
 - c. How will the liner requirement be addressed when composting operations are located on an existing active waste management units (lined and unlined)? On an inactive waste management unit?

- d. How will the liner requirement be addressed when composting operations are located in areas that will be excavated in the near future for expansion of a waste management unit?
2. The standard that "all materials ... will remain in an unsaturated condition during all times of the year..." in order to qualify for reduced pad and liner requirements is an overly restrictive attempt to protect ground and surface waters. There are many composting operations that maintain their materials in an unsaturated condition the majority (99%) of the time but not all of the time. This is especially true for facilities in the southern portion of the Central Valley Region. There should be a criteria established in the regulations to allowing operations that only rarely have materials in a saturated state to comply with the "unsaturated" design requirements.
3. Data presented on page 2 of the Information Sheet may or may not be representative of green waste composting operations. Additional studies should be conducted to determine actual stormwater impact from composting operations. Specifically, feedstock, active compost, finished compost and additive/amendment storage areas may generate substantially different stormwater characteristics. The necessity to have lined storm water retention basins for all areas within composting facilities has not been established.
4. Potential groundwater impact of feedstock, active compost, finished compost and additive/amendment storage areas has not been adequately studied in green waste composting operations. The liner requirement for these areas has not been established and the draft General WDRs does not allow operators sufficient time to demonstrate actual site specific groundwater impact. Operators should be allowed to conduct site specific studies or demonstrations and liners should be required only in those areas where there is a substantial threat to groundwater.
5. Public hearings scheduled throughout the Central Valley Region prior to consideration for adoption would provide interested parties an opportunity to comment on the draft General WDRs.
6. Timeline for existing facilities to comply with draft General WDRs is unrealistic. Preparation and approval by the RWQCB of the technical report portion of the NOI, CEQA compliance (the CIWMB will determine this a project requiring CEQA), Solid Waste Facility Permit revision (CIWMB requires permit revision for any change in boundary, operations location, construction activities), geological investigations, design and preparation of construction specifications, financing construction, renegotiating existing contracts with green waste sources, awarding of construction contracts and

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actual construction. For large composting operations a minimum of three years (5 years is more realistic) would be required to comply with the draft General WDRs.

7. A portion of the Central Valley Region is located within the San Joaquin Valley Unified Air Pollution Control District (SJVAPCD). It is anticipated that the SJVAPCD will adopt regulations for composting operations within the next few years. These regulations have the potential to drastically alter the composting technology utilized from Stanislaus south to Kern County. A change in composting technology would significantly alter site infrastructure and layout. The pending SJVAPCD will make it very risky for composting operators to make the financial commitment necessary to comply with the draft General WDRs prior to adoption of composting regulations by the SJVAPCD.

Please contact me if you have any questions or concerns.

Sincerely,



R. Scott Johnston, Deputy Director
Solid Waste Division